

**A CONFIRMING RESOLUTION designating an  
"Economic Revitalization Area" under I.C. 6-1.1-12.1 for  
property commonly known as 702 Hayden Street, Fort  
Wayne, Indiana 46803 (Hartzell Realty Corporation).**

**WHEREAS**, Common Council has previously designated and declared by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Section 153.02 of the Municipal Code of the City of Fort Wayne, Indiana, of 1993, as amended and I.C. 6-1.1-12.1, to wit:

**Attached hereto as "Exhibit A" as if a part herein; and**

**WHEREAS**, said project will retain 1 full-time, permanent job for a current annual payroll of \$20,800, with the average current annual job salary being \$20,800; and

**WHEREAS**, the total estimated project cost is \$700,000; and

**WHEREAS**, a recommendation has been received from the Committee on Finance; and

**WHEREAS**, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said Resolution; and

**WHEREAS**, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA:**

**SECTION 1.** That, the Resolution previously designating the above described property as an "Economic Revitalization Area" is confirmed in all respects.

**SECTION 2.** That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and shall terminate on December 31, 2005.

**SECTION 3.** That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall apply to a deduction of the assessed value of real estate.

**SECTION 4.** That, the estimate of the number of individuals that will be employed or whose employment will be retained and the estimate of the annual salaries of those individuals and the estimate of the value of redevelopment or rehabilitation, all contained in

Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably expected to result from the proposed described redevelopment or rehabilitation.

**SECTION 5.** The current year approximate tax rates for taxing units within the City would be:

- (a) If the proposed development does not occur, the approximate current year tax rates for this site would be \$9.2453/\$100.
- (b) If the proposed development occurs and no deduction is granted, the approximate current year tax rate for the site would be \$9.2453/\$100 (the change would be negligible).
- (c) If the proposed development occurs, and a deduction percentage of fifty percent (50%) is assumed, the approximate current year tax rate for the site would be \$9.2453/\$100 (the change would be negligible).

**SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from the assessed value of the real property shall be for a period of ten years.

**SECTION 7.** The benefits described in the Petitioner's Statement of Benefits can be reasonably expected to result from the project and are sufficient to justify the applicable deductions.

**SECTION 8.** For real property, a deduction application must contain a performance report showing the extent to which there has been compliance with the Statement of Benefits form approved by the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County Auditor's Office, and the City of Fort Wayne's Department of Economic Development and must be included with the deduction application. For subsequent years, the performance report must be updated within sixty days after the end of each year in which the deduction is applicable.

**SECTION 9.** The performance report must contain the following information

- A. The cost and description of real property improvements.
- B. The number of employees hired through the end of the preceding calendar year as a result of the deduction.
- C. The total salaries of the employees hired through the end of the preceding calendar year as a result of the deduction.
- D. The total number of employees employed at the facility receiving the deduction.
- E. The total assessed value of the real property deductions.
- F. The tax savings resulting from the real property being abated.

**SECTION 10.** That, the taxpayer is non-delinquent on any and all property tax due to jurisdictions within Allen County, Indiana.



**SECTION 11.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a deduction under section 3 or 4.5 of this chapter may be required to repay the deduction amount as determined by the county auditor in accordance with section 12 of said chapter if the property owner ceases operations at the facility for which the deduction was granted and if the Common Council finds that the property owner obtained the deduction by intentionally providing false information concerning the property owner's plans to continue operation at the facility.

**SECTION 12.** That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Member of Council

APPROVED AS TO FORM A LEGALITY

J. Timothy McCauley, City Attorney

## CERTIFICATE OF SURVEY

OFFICE OF:

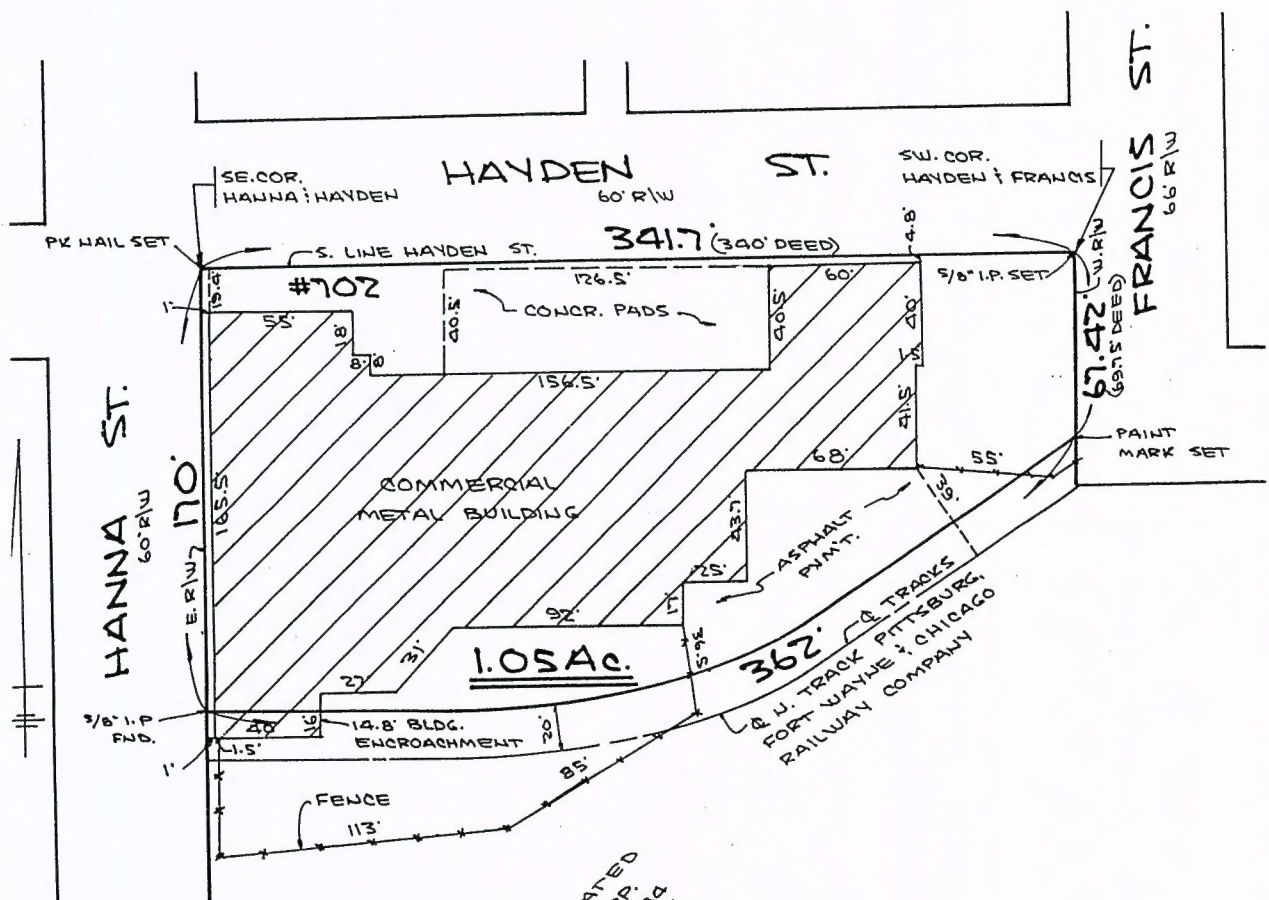
DONOVAN ENGINEERING

JOHN R. DONOVAN P.E. No. 9173 P.L.S. No. 9921 INDIANA  
 FRANCIS X. MUELLER P.L.S. No. S0193 INDIANA  
 GREGORY L. ROBERTS P.L.S. No. S0548 INDIANA  
 FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: **SEE ATTACHED SHEET!**



NOTE: According to the Flood Insurance Rate Map (FIRM) number 18003C0260 E, dated Feb. 16, 1995, the herein described real estate is located in Zone "X", and is not within the 100 year flood haard area. The accuracy of this flood hazard statement is subject to map scale uncertainty.

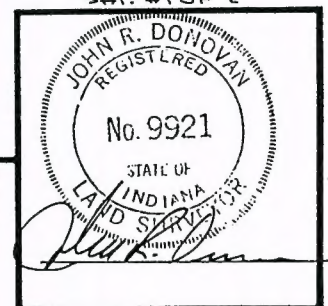
CONSOLIDATED  
 RAIL CORP.  
 Doc. #18-29124  
 Doc. #17-31184  
 Doc. #17-18613

RE-CERTIFIED 9-19-97

JOB FOR: WAYNE IRON & METAL  
 FORT WAYNE URBAN  
 ENTERPRISES ASSOC. INC.-  
 HENRY

1"=60'  
 6-20-88  
 REV. 9-19-97

S.R. ON FILE  
 SHT. #1 OF 2





## CERTIFICATE OF SURVEY

OFFICE OF:

DONOVAN ENGINEERING

JOHN R. DONOVAN P.E. No. 9173 P.L.S. No. 9921 INDIANA  
FRANCIS X. MUELLER P.L.S. No. S0193 INDIANA  
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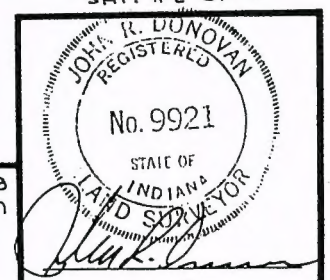
The description of the real estate is as follows, to wit: Part of land situated in the Northwest Quarter of Section 12, Township of Wayne, County of Allen and State of Indiana, more particularly described as follows:

BEGINNING at the Southeast corner of Hanna Street (60 feet wide) and Hayden Street (60 feet wide); thence South along the East right-of-way line of said Hanna Street, a distance of 170 feet to a point being a distance of 20 feet North of the centerline of the North track formerly of the Pittsburgh, Fort Wayne and Chicago Railway Company; thence Northeasterly, parallel to and a distance Northerly of 20 feet from said centerline of track, a distance of 362 feet to a point on the West right-of-way line of Francis Street (66 feet wide); thence North along the West right-of-way line, a distance of 67.42 feet (69.75 feet, deed) to the Southwest corner of Hayden and Francis Streets; thence West along the South right-of-way line of Hayden Street, a distance of 341.7 feet (340 feet, deed) to the point of beginning, containing 1.05 acres.

RE-CERTIFIED 9-19-97

JOB FOR: WAYNE IRON & METAL  
FORT WAYNE URBAN  
ENTERPRISES ASSOC. INC.-

6-20-88  
REV. 9-19-97



Read the first time in full and on motion by Detmold,  
and duly adopted, read the second time by title and referred to the Committee on Finance, (and the City Plan Commission for recommendation)  
and Public Hearing to be held after due legal notice, at the Common Council Conference  
Room 128, City-County Building, Fort Wayne, Indiana, on Thursday,  
the 25th day of November, 1997, at 5:20  
o'clock P. M., E.S.T.

DATED: 10-28-97

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_,  
and duly adopted, placed on its passage. PASSED \_\_\_\_\_  
by the following vote: LOST

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>		<u>1</u>	
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS	<u>✓</u>			
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY			<u>✓</u>	
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			

DATED: 11-25-97

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,  
as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL)  
(ZONING) ORDINANCE RESOLUTION NO. R-80-97  
on the 25th day of November, 1997

ATTEST: SEAL  
Sandra E. Kennedy Thomas P. Henry  
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the  
26th day of November, 1997,  
at the hour of 3:00 o'clock P. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 30th day  
of November, 1997, at the hour of 2:30  
o'clock P. M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR



Admn. Appr. \_\_\_\_\_

DIGEST SHEET

**TITLE OF ORDINANCE: Confirming Resolution**

**DEPARTMENT REQUESTING ORDINANCE: Department of Economic Development**

**SYNOPSIS OF ORDINANCE: This is to confirm the designation of an Economic Revitalization Area for Hartzell Realty Corporation for real property improvements in the amount of \$700,000. Hartzell Realty Corporation will build a 32,000 square foot speculative warehouse building.**

**EFFECT OF PASSAGE: Passage of resolution will allow for the redevelopment of property currently classified as a brownfield site. Property is being transferred from Urban Enterprise Association ownership to private ownership which will bring it back on the tax rolls.**

**EFFECT OF NON-PASSAGE: Loss of improvements in the Urban Enterprise Zone and to a classified brownfield site. Estimated loss of tax revenues over the ten year deduction period would be \$76,258.**

**MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): No expenditures of public funds required.**

**ASSIGNED TO COMMITTEE (PRESIDENT): Don Schmidt**

BILL NO. R-97-10-18

REPORT OF THE COMMITTEE ON FINANCE

DONALD J. SCHMIDT - JOHN N. CRAWFORD - CO-CHAIR  
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS  
REFERRED AN (~~ORDINANCE~~) (RESOLUTION) confirming resolution  
designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for  
property commonly known as 702 Hayden Street, Fort Wayne, Indiana 46803  
(Hartzell Realty Corporation)


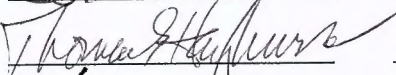
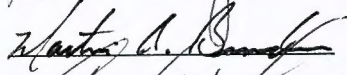
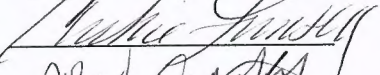
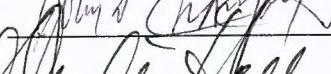
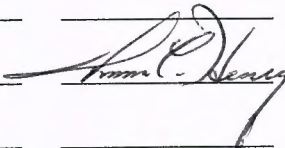

HAVE HAD SAID (~~ORDINANCE~~) (RESOLUTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(~~ORDINANCE~~) (RESOLUTION) \_\_\_\_\_

DO PASS

DO NOT PASS

ABSTAIN

NO REC

	_____	_____	_____
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_____	_____	_____	_____
_____	_____	_____	_____

DATED: 11-25-95

Sandra E. Kennedy  
City Clerk



November 5, 1997

Ms. Connie Lambert  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of November 8, 1997, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, Indiana

Bills Nos. R-97-10-17 & R-97-10-18  
Revitalization Area

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 1

NOTICE OF PUBLIC HEARING  
FORT WAYNE  
COMMON COUNCIL

(RESOLUTIONS NO. R-97-10-17 AND R-97-10-18 )

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA, APPROVED A RESOLUTION ON 10-28-97,  
DATE  
DESIGNATING PROPERTY AT 702 Hayden Street, Fort Wayne,  
Indiana (Hartzell Realty Corporation)

AN ECONOMIC REVITALIZATION AREA. A DESCRIPTION OF THE AFFECTED  
AREA CAN BE INSPECTED IN THE COUNTY ASSESSOR'S OFFICE.

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER  
THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND  
CONFIRMED OR RESCINDED ON Tuesday, November 25, 1997, at 5:30 o'clock  
DATE, TIME & PLACE  
P.M., at the Common Council Conference Room 128, City-County Building,  
One Main Street, 1st Floor, Fort Wayne, Indiana

IF CONFIRMED, SAID DESIGNATING SHALL CONTINUE FOR ONE (1)  
YEAR AFTER CONFIRMATION.

ALL INTEREST PERSONS ARE INVITED TO ATTEND AND BE HEARD  
AT THE PUBLIC HEARING.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN  
DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND  
FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION"  
SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219)427-1120, TTY  
(219)427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE  
MEETING.

SANDRA E. KENNEDY  
CITY CLERK



FW COMMON COUNCIL  
(Governmental Unit)To: The Journal-Gazette Dr.  
P.O. Box 100  
Fort Wayne, IN

ALLEN County, Indiana

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

## COMPUTATION OF CHARGES

41 lines, 1 columns wide equals 41 equivalent lines  
at 354 cents per line

\$ 14.92

Additional charge for notices containing rule or tabular work  
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 15.92

## DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: NOV 8, 19 97

Title: Julie L Smith Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L SMITH who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time, the dates of publication being as follows:

11-8-97

Subscribed and sworn to before me this 8th day of NOV, 19 97.

Mary L Schneider  
Notary Public  
MARY L SCHNEIDER  
NOTARY PUBLIC STATE OF INDIANA  
ALLEN COUNTY  
MY COMMISSION EXP JUNE 14, 2001

My commission expires:

NOTICE OF PUBLIC HEARING  
FORT WAYNE  
COMMON COUNCIL

(RESOLUTIONS NO. R-97-10-17 AND R-97-10-18)

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA APPROVED A RESOLUTION ON 10-28-97, DESIGNATING PROPERTY AT 702 Hayden Street, Fort Wayne, Indiana (Hartzell Realty Corporation)

An Economic Revitalization Area. A description of the affected area can be inspected in the County Assessor's Office.

Common Council will conduct a public hearing on whether the above described resolution should be confirmed, modified and confirmed or rescinded on Tuesday, November 25, 1997, at 5:30 o'clock P.M. at the Common Council Conference Room 128, City-County Building, One Main Street, 1st Floor, Fort Wayne, Indiana

If confirmed, said designation shall continue for one (1) year after confirmation.

All interest persons are invited to attend and be heard at the public hearing.

"Reasonable Accommodations" for persons with a known disabling condition will be considered in accordance with state and federal law. Any person needing a "Reasonable Accommodation" should notify Public Information Office (219) 427-1120, TTY (219) 427-1200, At least seventy-two (72) hours prior to the meeting.

Sandra E. Kennedy  
City Clerk  
#634987



FW COMMON COUNCIL

(Governmental Unit)

To:

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

ALLEN

County, Indiana

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Date: NOV 8, 19 97

Title:

Julie L Smith  
Clerk

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COMMON COUNCIL

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Sandra E. Kennedy  
City Clerk  
#634987

11-8

State of Indiana )

) ss:

Allen County )

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11-8-97Subscribed and sworn to before me this 8th day of NOV, 19- 97.Mary L Schneider  
Notary Public

MARY L SCHNEIDER

NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

MY COMMISSION EXP JUNE 14, 2001

My commission expires: